



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



March 26, 2004

**LETTER OF DEFICIENCY #WSEB 04-042**  
**CERTIFIED MAIL 7000 0600 0023 9933 8019**

Ron Elliard  
Bobbys Girl Diner  
752 Route 104  
New Hampton, NH 03256

**Subject: New Hampton - Public Water System: Bobbys Girl Diner (EPA #1698080)**

Dear Mr. Elliard

The records of the Department of Environmental Services (DES) show that the Bobbys Girl Diner water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

**August 2003 and February 2004**

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

- 1 **By April 9, 2004**, submit a water "make up" sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325.

Please continue to submit water samples according to the water system's Master Sampling Schedule enclosed.

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system has failed to perform public notification for the August 2003 monitoring violation. Additionally, to date the water system has not submitted proof of public notice for the February 2004 monitoring violation.

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In view of the public notice violations, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

2. **By April 23, 2004** carry out the public notice requirements for the August 2003 and February 2004 sampling violations; and
3. **By May 7, 2004**, provide proof of public notice to DES.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at [abailey@des.state.nh.us](mailto:abailey@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

  
**COPY**

Rene Pelletier, P.G., Manager  
Land Resource Programs

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Enclosures: Master Sampling Schedule  
Public Notice Form

cc: Gretchen Rule, DES Legal Unit  
NH Dept. H&HS Restaurant Licensing  
Town of New Hampton Health Officer  
EPA, Region 1